

Monday, July 29, 2013

United States Environmental Protection Agency
Attention: Jonathan Moody
Water Enforcement and Compliance Assurance Branch
Water Division, WC-15J
77 West Jackson Blvd.
Chicago, IL 60604-3590

RE: Information Request Under Section 308(a) of the Clean Water Act,
Docket No. V-W-13-308-17 ("Request")

Dear Mr. Moody:

Eagle Mine, LLC received the above-referenced Request on July 22, 2013. In accordance with item 2 in the listed specific requests for information, Eagle Mine is notifying you that it intends to comply with the Request. In addition, please note the following in relation to the Request:

1. The Request was addressed to Jonathan Cherry, General Manager, Kennecott Eagle Minerals Company, 504 Spruce Street, Ishpeming, Michigan 49849. The company name, contact, and administrative office location has changed. Please direct all future correspondence to:

Kristen Mariuzza
Environmental & Permitting Manager
Eagle Mine, LLC
4547 County Road 601
Champion MI 49814

2. In accordance with the attached exchange of electronic correspondence between our counsel, Warner Norcross & Judd LLP, and U.S. EPA's Office of Regional Counsel, Eagle Mine will provide response to items 3 and 4 on or before August 21, 2013. Eagle Mine will provide responses to item nos. 5-8 of the Request on or before September 20, 2013. In addition, Eagle Mine will commence the weekly sampling requested in item no. 10 on or before August 15, 2013.
3. Item nos. 9-10 require sampling of all discharges from the HTDF. Current operations involve the use of two adjacent pumps which convey water from the same intake location within the HTDF to the same outfall location (Wetland EE). The water from both pumps is combined at the outfall location. EPA NPDES Form 2C instructions state, "If you have two or more substantially identical outfalls, you may request permission from your permitting authority to sample and analyze only one outfall and submit the results of the analysis for the other substantially identical outfalls." Therefore, unless

EPA indicates the contrary, Eagle Mine plans to collect one sample at the discharge location because the outfalls are "substantially identical."

4. In the attached electronic correspondence between counsel, U.S. EPA states its understanding that Eagle will stop discharging from the HTDF outfall. Please note that this discharge is a discharge of meteoric water that has collected in the HTDF and contains no process wastewater. There are currently no process operations at the mill site.

Due to construction of the permit required bentonite cutoff wall, the historical flow of storm water from the pit has been significantly reduced and will be eliminated once construction is complete. Pumping of storm water is necessary to maintain the hydrologic balance and historic water levels inside the HTDF until operations commence. At that time, process water will be introduced to the HTDF and a water treatment plant will be in place to treat flows from the HTDF. MDEQ has been kept fully informed of the current discharge, which is in full compliance with Eagle's NPDES permits for the site.

In the meantime, please call if you have any questions about this correspondence or Eagle Mine's response to the Request.

Very truly yours,



Kristen Mariuzza

cc: Nicole Cantello, United States Environmental Protection Agency, Office of Regional Counsel, C-14J, 77 West Jackson Blvd., Chicago, Illinois 60604-3511 (312) 886-2870

Steve Casey, Michigan Department of Environmental Quality, 420 5th Street, Gwinn, Michigan 49841